

I. Acquisition and Disforestation of Land, etc.

A. ACQUISITION OF LANDS FOR FORESTS UNDER THE INDIAN FOREST AND LAND ACQUISITION ACTS—*concluded*.

before giving the claim in favour of the zamindars the Collector must certify that the set of the river promises to be permanent. Should the case be one of great importance and the question of permanence of the set of the river be difficult to determine reference may be made to the Engineer, Indus River Commission, whose opinion on the point will be final.

3. Whenever any forest is transferred by the action of the river from one District to another, the Collector of the District to which the Forest has been so transferred should be immediately informed by the Divisional Forest Officer of such transfer in the most formal and regular manner.

B. Disforestation.

113. It should be understood, that no land which has been finally constituted reserved forest under section 19 or section 34 of the Forest Act should be given in occupancy, or otherwise disposed of, without the previous sanction of Government. The case of waste lands which have been notified as proposed reserved forests under section 4 of the Act, or as protected forests rest on a different footing. Instances may occasionally occur when *assessed* waste lands belonging to either or both the above categories may advantageously be exchanged for occupied lands which fall within the proposed forest boundaries, or one more suitable for forest purposes, and where the delay incidental to obtaining previous sanction may result in the failure of the negotiations, whenever prompt action is necessary in such cases, Forest Settlement and Demarcation Officers may be authorized to effect exchanges at their discretion, with the concurrence of the District Forest Officer, without previous sanction of Government. The authority hereby given does not extend, however, to the utilization, for exchange purposes without previous sanction, of any *unassessed* areas included in forests.*

114. The Government of India is not disposed to admit the argument that reserved forest land should be given up merely because it is barren. As a general rule, land which is "poor," "worthless" (for other purposes), etc., should be kept under such forest growth as it is capable of producing.†

115. The sanction of the Government of India is not required to the exclusion from forests of lands which were merely notified under section 4 of the Indian Forest Act, 1878, nor is it necessary for Government to publish any formal notification directing their disforestation.‡

* Government Resolution No. 6429, dated 6th September 1893.

† Government of India, Department of Revenue and Agriculture, No. 966-F, dated 13th October 1887, *vide* Government Resolution No. 7640, dated 9th November 1887.

‡ Government Resolution No. 6028, dated 25th July 1885.

Section 113, page 54.

Add the following clause to this section :—

“ The Government of Bombay may without reference to the Government of India, sanction disforestation from reserved forests in territories in which the Indian Forest Act is in force, when the area involved does not exceed one square mile in each case.” Government of India Circular letter R. and A. Department No. 29 F-238-4, dated 21st November 1911—Bombay Government Resolution No. 143, dated 6th January 1912, Revenue Department.

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B. DISFORESTATION—concluded.

116. When the Civil and Forest authorities are not unanimous as to the proposed disforestation of any particular lands, the Government of India should be supplied with a full statement of the arguments urged by the respective authorities for and against such disforestation.*

Procedure to be followed when the Civil and Forest officers do not agree regarding disforestation.

117. As there is a great difference between (I) Forests reserved after investigation and settlement under Chapter II of the Forest Act and (II) Forest declared to be reserved under section 34, subject to subsequent adjustment after investigation, in all cases of proposed exclusion from reserved forests it should be stated whether the disforestation for which sanction is asked concerns forests of the first or second class.†

Regarding disforestation of lands notified under sections 19 and 34 of the Indian Forest Act, 1878.

Notification.

118. His Excellency the Governor in Council, with the previous sanction of the Governor General in Council, is hereby pleased to declare, under the provisions of section 26 of the Indian Forest Act, No. VII of 1878, as amended by Acts No. V of 1890 and No. V of 1901, that the area specified below, which in Notification No. , dated the , was declared to be reserved forest under section of that , shall cease to be reserved forest with effect from the

Form to be used in notifying disforestation of lands under section 26 of the Indian Forest Act of 1878.

Specification of land disforested.

District.	Táluka.	Name of Reserve.	Village.	Survey No.	Area.

Unless the description given in the draft notification of the boundaries of the area concerned is sufficiently detailed and precise, the Government of India will be constrained to return, for rectification, any application which does not fulfil this condition.‡

Maps required in important cases.

118A. In cases of importance, a map illustrating the proposals for disforestation of lands under section 26 of the Indian Forest Act should accompany the papers.§

* Government of India, Home Department, No. 172-F, dated 27th February 1886, *vide* Government Resolution No. 1898, dated 10th March 1886.

† Government of India, Department of Revenue and Agriculture, No. 793-F, dated 27th July 1888, *vide* Government Resolution No. 5312, dated 7th August 1888.

‡ Government of India, Department of Revenue and Agriculture, Nos. 6-F, dated 10th March 1892, and 12-F, dated 28th June 1893, *vide* Government Resolutions No. 3329, dated 11th April 1892; and No. 5314, dated 22nd July 1893.

§ Government Resolution No. 3329, dated 11th April 1892.